

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CASE NO. 11-MJ-30175  
Magistrate Judge Charles E. Binder

RUTH ANN BUCK,

Defendant.

---

**MOTION FOR LEAVE TO DISMISS COMPLAINT  
WITHOUT PREJUDICE**

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, the United States of America hereby moves for leave to dismiss without prejudice the complaint against defendant Ruth Ann Buck.

**BRIEF**

In this case, the government needs additional time to investigate the full extent of the offense in question. *See gen. United States v. Lovasco*, 431 U.S. 783, 790-96 (1977); 18 U.S.C. § 3161(d)(1). Further, considering the indictment in case number 10-CR-20350 charging defendant with 32 counts of distributing controlled substances, the government needs additional time to decide whether criminal prosecution of defendant for the offenses in question is in the public interest. *Id.* The government's ability to

prosecute this case properly would be substantially impaired were it required to proceed to indictment or information within the 30-day period prescribed by the Speedy Trial Act, see 18 U.S.C. §§ 3161(b), 3161(h). Accordingly, the government requests leave to dismiss the complaint without prejudice.

Respectfully submitted,

BARBARA L. McQUADE  
United States Attorney

s/Shane N. Waller  
Assistant United States Attorney  
101 First Street, Ste. 200  
Bay City, MI 48708  
Phone: 989-895-5712  
E-Mail: shane.waller@usdoj.gov  
Bar Number: P71491

**CERTIFICATE OF SERVICE**

I hereby certify that on June 9, 2011, the foregoing document was electronically filed with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Carl Marlinga

s/Shane N. Waller  
Assistant United States Attorney